IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.3355 OF 2004

Hakim (Dr.) Nasreen Abdul Mobin Khan ..Petitioner
Vs.
The Secretary Medical Education
& Drugs Department and Ors. ..Respondents

Mr.K.P.Jain with Mr. Tushar Goradia for Petitioner
Mr. A.G. Kothari for Respondent

CORAM: F.I. REBELLO &
S.P. KUKDAY, JJ.
DATE: 13TH APRIL, 2005.

P.C.

1. The Petitioner had sought to be registered for a Post-graduate Unani course. Various contentions were raised. We do not propose to go into the said issue. As there was some dispute between Respondent Management, the Principal wrote to the Registrar, University of Bombay by a letter dated 10th February, 2005 seeking clarification. We are concerned with the clarifications 2 and 3 which reads as under :-

> (ii). Whether in case of Admission of Post Graduate Course, she will be debarred from delivering lectures to P.G. students.
>
> (iii). Whether a Post graduate student i.e. Hakim Nasreen if admitted, can continue to

be guide for students pursuing Post Graduate studies.

. In answer to that letter dated 21st February, 2005 the University wrote to the Principal setting out that a teacher candidate cannot deliver lectures of the same subject of same Post Graduate degree or guide the Post Graduate students. In the instant case admittedly apart from the Petitioner there was one more lecturer. Counsel for Respondent/Management points out that the other lecturer is to retire in December, 2005 and presently is on leave preparity to retiement. There are students registered with the Petitioner for the Post Graduate course. The Petitioner remains the only lecturer in the department.

. On behalf of the Petitioner the learned Counsel states that those conditions cannot be imposed.

. We do not propose to go in the controversy, The University of Mumbai has a grievance Committee which is authorised to hear grievances of teachers. It will be open to the Petitioner if so advised to approach the Grievance Committee. It is for the Grievance Committee to decide the grievance as raised by the Petitioner herein.

. It is the case of Petitioner that in November, 2004 she has already filed a complaint before the Grievance Committee. If that be so then Grievance Committee is directed to decide the same not later than 30th June, 2005.

. All contentions are left open. With the above directions Petition stands disposed of. No order as to costs.

(F.I.REBELLO,J.)

(S.P. KUKDAY,J.)